

JCO6 Rec'd PCT TO 18 AUG 2005



Practitioner's Dock No. 2002DE436

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Franz Xaver SHER

Examiner:

Application No.: 10/533,429

Group No.:

Filed: 04/29/2005

For: PESTICIDE FORMULATIONS CONTAINING ALKOXYLATED AMINES

Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

CERTIFICATION UNDER 37 C.F.R. Sections 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING



deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. section 1.8(a)

37 C.F.R. section 1.10*



with sufficient postage as first class mail.



as "Express Mail Post Office to Address"
Mailing Label No. _____ (mandatory)

TRANSMISSION



transmitted by facsimile to the Patent and Trademark Office (703) 872-9306

Date:

August 16, 2005

Signature

Jackie L. Wise
(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).
"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Dear Sir:

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith).

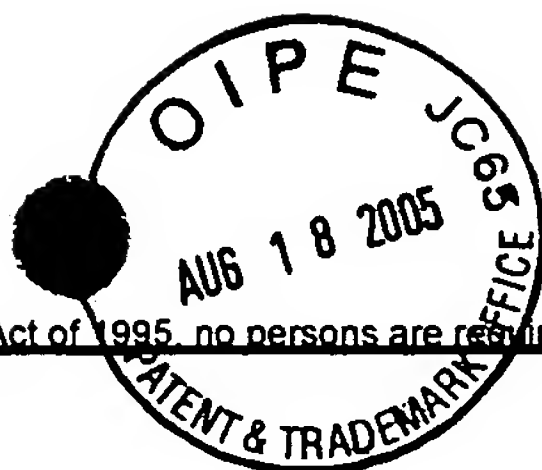
1. ☒ Enclosures accompanying this Information Disclosure Statement are:
 - 1a. ☒ Form PTO-1449 (PTO/SB/08a and/or PTO/SB/08b).
 - 1b. ☒ Copies of Information Disclosure Statement citations.
 - 1c. ☒ PCT or EP Search Report PCT/EP 03/11698, Dated 01/04/2004
German Office Action DE10250552.9, Dated 07/03/2003
 - 1d. ☒ Copies of Co-pending U.S. Applications.
2. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b) with the filing of the U.S. patent application. Accordingly, no fee or §1.97(e) Statement is required.
3. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or §1.97(e) Statement is required.
4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance. The \$180.00 fee set forth in 37 CFR §1.17(p) in accordance with 37 CFR §1.97(c) is to be charged to Deposit Account No. 03-2060.
5. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(e) in that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Accordingly, no fee is required.
6. ☐ This Information Disclosure Statement is filed in conjunction with a Request For Continued Examination. Accordingly, no fee or §1.97(e) Statement is required.
7. ☐ The English language documents identified by reference in the TRANSLATION Section of the foreign patents list of the attached 1449 Form are believed to be a concise statement, or the equivalent or substantial equivalent to the foreign language documents cited in the attached 1449 Form.
8. ☒ In addition to the documents cited, the Office's attention is directed to the following co-pending U.S. Application Serial Number(s), copies of which are attached for the convenience of the Office:
10/533,474, filed 04/29/2005, Franz Xaver SCHERL et al.

Respectfully submitted,


Richard P. Silverman, Registration No. 36,277

CUSTOMER NO. 25,255

Clariant Corporation, Industrial Property Department, 4000 Monroe Road, Charlotte, North Carolina 28205
Telephone: 704/331-7156, Facsimile: 704/331-7707



PTO/SB/08a (08-03)

Applicable for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/APTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/533,429
Filing Date	04/29/2005
First Named Inventor	Franz Xaver SHER
Art Unit	
Examiner Name	
Attorney Docket Number	2002DE436

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US- 5,317,003	05/31/1994	Kassebaum	
	AB	US- 5,360,783	11/01/1994	ITOH	
	AC	US- 5,616,811	04/01/1997	VINPOND	
	AD	US- 5,750,468	05/12/1998	WRIGHT	
	AE	US- 5,958,439	09/28/1999	Gubelmann	
	AF	US- 6,133,199	10/17/2000	SOULA	
	AG	US- 6,750,178	06/15/2004	RAMSAY	
	AH	US- 2,002,123,430	09/05/2002	XU	
	AI	US- RE 37866	10/01/2002	WRIGHT	
	AJ	US-			
	AK	US-			
	AL	US-			
	AM	US-			
	AN	US-			
	AO	US-			
	AP	US-			
	AQ	US-			
	AR	US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	BA	WO 0243492	06/06/2002	HUNTSMAN CORP		<input type="checkbox"/>
	BB	EP 0290416	11/09/1988	MONSANTO		<input type="checkbox"/>
	BC	IE902130	01/02/1991	RHONE POULENC		<input type="checkbox"/>
	BD	GB2230955	11/02/1990	RHONE POULENC		<input type="checkbox"/>
	BE					<input type="checkbox"/>

Examiner Signature	Date Considered
-----------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number 10/533,429

Filing Date 04/29/2005

First Named Inventor Franz Xaver SHER

Art Unit

Examiner Name

Attorney Docket Number 2002DE436

Sheet

2

of

2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	English Language Abstract of Japanese Patent No. JP 60075324, 04/27/85, NEO KK	<input type="checkbox"/>
	CB	Copending Application: 10/533,474, filed 04/29/2005, Franz Xaver SCHERL	<input type="checkbox"/>
	CC		<input type="checkbox"/>
	CD		<input type="checkbox"/>
	CE		<input type="checkbox"/>
	CF		<input type="checkbox"/>
	CG		<input type="checkbox"/>
	CH		<input type="checkbox"/>
	CI		<input type="checkbox"/>
	CJ		<input type="checkbox"/>

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.